

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

Dallas Division

2015 MAY -7 PM 1:34

DEPUTY CLERK RA

Mary Tyler
Plaintiff

3-15CV-1431M

v.
Dallas ISD
Defendant

Civil Action No.

COMPLAINT

Dallas ISD terminated my services in retaliation to me asking for my pay check I had not received in 1 month 30 days. Also they retaliated when I filed discrimination charge with EEOC and Texas Workforce Commission. They said-Hispanic principals and parents of Mexican children do not want Whites & Black teachers, Hispanic children DISO HR and the pros to hire me because of my age.

* Attach additional pages as needed.

Though I am a regular class teacher even though I am ESL certified, Sec. Bus Generalist, PK-12 and I speak Spanish. DISO has too much power to

Date 5-7-15 terminate teachers for NO
Signature Mary Tyler good cause
Print Name MARY TYLER
Address 4041 W. Wheatland
City, State, Zip Dallas, TX 75237
Telephone 214-270-7663

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

Mary Tyler,

Plaintiff

Vs.

3-15 CV-1431 M
No. _____

Dallas Independent

School District, Defendant

LAWSUIT AGAINST DALLAS I.S.D. through the EEOC—
Equal Employment Opportunity EEOC

Here comes, Mary Tyler, plaintiff with a Right to Sue Letter from the EEOC, and Charge of Discrimination letter from the Texas Workforce Commission Civil Rights Division. The plaintiff is asking the Court to address the following issues:

1. Plaintiff 's services were terminated as teacher, as retaliation for asking for Her paycheck.
2. DISD Dallas is retaliating against plaintiff, because she filed a lawsuit with the EEOC and with the Texas Workforce Commission of Civil Rights Division.
3. Plaintiff has an attorney through ATPE who has been with her in Grievances I and II. The Grievance III is scheduled to go to Board hearing this month. I was denied being allowed to have my job back. My supervisors were my grievance hearing officers. This is unfair.
4. Defendants are charged with discrimination, because they never hired me as a classroom teacher of record, even though several principals desperately to hire me.
5. Plaintiff speaks Spanish fluently, and is certified in ESL, Secretarial Business, and Generalist Pk-12.

6. Please see CHARGE OF DISCIMINATION AND RIGHT TO SUE LETTER SUBMITTED AS EXIBITS AND ALL OTHER EXHIBITS.
7. The DISD Dallas principals told me that Hispanic parents and children do not want Black or White teachers teaching their Mexican, et al. children. They only want their own race, and that is why some DISD principals told me I could not get a regular teaching job in ESL or BIL, etc. In addition, I was told by some employees that I was too old to teach school, and the community preferred and demanded younger, fresh, cute teachers not grandmothers.
8. PLEASE SEE ALL EXHIBITS ATTACHED. In addition, I am requesting that the court assign me a court-appointed attorney and allow me to file as Informa pauperis. Thank-you. May God Bless the Courts to be fair. Some of these school districts have too much power, and are allowed to terminate many good teachers.

A handwritten signature in black ink, appearing to read 'MARY TYLER', is written over a horizontal line.

MARY TYLER

May 7, 2015

Exhibits 2

The U. S. Equal Employment Opportunity Commission

The EEOC is responsible for eliminating discrimination at the workplace. The nation's federal employment discrimination laws ensure that anyone working in this country be treated fairly and justly under the laws, and be afforded appropriate protection and redress should an employer violate these laws. The laws enforced by the EEOC serve to deter unlawful discrimination by employers.

Facts About Federal Sector Equal Employment Opportunity Complaint Processing Regulations (29 CFR Part 1614)

Newly revised Part 1614 of the federal sector equal employment opportunity EEO complaint processing regulations makes the procedures for processing complaints more effective. This revised regulation requires all federal agencies for the first time to establish or make available Alternative Dispute Resolution programs. The counseling process and the procedures for requesting a hearing before an Equal Employment Opportunity Commission (EEOC) administrative judge also are revised. Administrative judges now have the authority to dismiss complaints and issue decisions on complaints when a hearing is requested. The revised regulation also includes changes to the class complaint procedures, appeal procedures, and attorney's fees provisions.

PROTECTION FROM DISCRIMINATION

The statutes enforced by EEOC make it illegal to discriminate against employees or applicants for employment on the bases of race, color, religion, sex, national origin, disability, or age. A person who files a complaint or participates in an investigation of an EEO complaint, or who opposes an employment practice made illegal under any of the statutes enforced by EEOC, is protected from retaliation.

There are federal laws which provide protection from discrimination on other bases including sexual orientation, status as a parent, marital status, political affiliation, and conduct that does not adversely affect the performance of the employee.

FILING A COMPLAINT WITH A FEDERAL AGENCY

Employees or applicants who believe that they have been discriminated against by a federal agency have the right to file a complaint with that agency. The first step is to contact an EEO Counselor at the agency within 45 days of the discriminatory action. The individual may choose to participate in either counseling, or in Alternative Dispute Resolution (ADR) when the agency offers ADR. Ordinarily, counseling must be completed within 30 days and ADR within 90 days. At the end of counseling, or if ADR is unsuccessful, the individual may then file a complaint with the agency.

The agency must conduct an investigation of the complaint, unless the complaint is dismissed. If a complaint is one containing one or more issues that must be appealed to the MSPB, the complaint is a "mixed case." It is then processed under the Board's procedures. For all other EEO complaints,

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Facts About Compensation Discrimination

Compensation discrimination in employment is prohibited by the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, and Title I of the Americans with Disabilities Act of 1990, all enforced by the U.S. Equal Employment Opportunity Commission. Collectively, these statutes require employers to compensate employees without regard to race, color, religion, sex, national origin, age, or disability.

The law against compensation discrimination includes all payments made to or on behalf employees as remuneration for employment. All forms of compensation are covered, including salary, overtime pay, bonuses, stock options, profit sharing and bonus plans, life insurance, vacation and holiday pay, cleaning or gasoline allowances, hotel accommodations, reimbursement for travel expenses, and benefits.

Equal Pay Act

The Equal Pay Act requires that men and women be given equal pay for equal work in the same establishment. The jobs need not be identical, but they must be substantially equal. It is job content, not job titles, that determines whether jobs are substantially equal. Specifically, the EPA provides:

Employers may not pay unequal wages to men and women who perform jobs that require substantially equal skill, effort and responsibility, and that are performed under similar working conditions within the same establishment. Each of these factors is summarized below:

Skill — Measured by factors such as the experience, ability, education, and training required to perform the job. The key issue is what skills are required for the job, not what skills the individual employees may have. For example, two bookkeeping jobs could be considered equal under the EPA even if one of the job holders has a master's degree in physics, since that degree would not be required for the job.

Effort — The amount of physical or mental exertion needed to perform the job. For example, suppose that men and women work side by side on a line assembling machine parts. The person at the end of the line must also lift the assembled product as he or she completes the work, and place it on a board. That job requires more effort than the other assembly line jobs if the extra effort of lifting the assembled product off the line is substantial and is a regular part of the job. As a result, it would not be a violation to pay that person more, regardless of whether the job is held by a man or a woman.

Responsibility — The degree of accountability required in performing the job. For example, a salesperson who is delegated the duty of determining whether to accept customers' personal checks has more responsibility than other salespeople. On the other hand, a minor difference in responsibility, such as assignment of the task of locking up at the end of the day, would not justify a pay differential.

Working Conditions — This encompasses two factors: (1) physical surroundings like temperature, fumes, and ventilation, and (2) hazards. For example, suppose a male nurse's aide who works in a hospital is paid less than a female nurse's aid who works in patients' homes. This difference generally does not qualify as a

difference in working conditions that would justify a pay differential, because the physical surroundings and hazards in the two locations typically are similar.

Establishment — The prohibition against compensation discrimination under the EPA applies only to jobs within any establishment. An establishment is a distinct physical place of business rather than an entire business or enterprise consisting of several places of business. However, in some circumstances, physically separate places of business should be treated as one establishment. For example, if a central administrative unit hires employees, sets their compensation, and assigns them to work locations, the separate work sites can be considered part of one establishment.

Pay differentials are permitted when they are based on seniority, merit, quantity or quality of production, or a factor other than sex. These are known as “affirmative defenses” and it is the employer’s burden to prove that they apply.

In correcting a pay differential, no employee’s pay may be reduced. Instead, the pay of the lower paid employee(s) must be increased.

Title VII, ADEA, and ADA

Title VII, the ADEA, and the ADA prohibit compensation discrimination on the basis of race, color, religion, sex, national origin, or disability. Unlike the EPA, there is no requirement under Title VII, the ADEA, or the ADA that the claimant’s job be substantially equal to that of a higher paid person outside the claimant’s protected class, nor do these statutes require the claimant to work in the same establishment as a comparator. The basic theories of disparate treatment and adverse impact generally apply to compensation discrimination claims under these statutes.

Compensation discrimination under Title VII, the ADEA, or the ADA can occur in a variety of forms. For example:

- An employer pays an employee with a disability less than similarly situated employees without disabilities and the employer’s explanation (if any) does not satisfactorily account for the differential.
- A discriminatory compensation system has been discontinued but still has lingering discriminatory effects on present salaries. For example, if an employer has a compensation policy or practice that pays Hispanics lower salaries than other employees, the employer must not only adopt a new non-discriminatory compensation policy, it also must affirmatively eradicate salary disparities that began prior to the adoption of the new policy and make the victims whole.
- An employer sets the compensation for jobs predominately held by, for example, women or African-Americans below that suggested by the employer’s job evaluation study, while the pay for jobs predominately held by men or whites is consistent with the level suggested by the job evaluation study.
- An employer maintains a neutral compensation policy or practice that has an adverse impact on employees in a protected class and cannot be justified as job-related and consistent with business necessity. For example, if an employer provides extra compensation to employees who are the “head of household” — i.e., married with dependents and the primary financial contributor to the household — the practice may have an unlawful disparate impact on women.

Employees who believe they are under-compensated because of their race, color, religion, sex, national origin, age, or disability may file a charge with the EEOC.

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The EEOC is responsible for eliminating discrimination at the workplace. The nation's federal employment discrimination laws ensure that anyone working in this country be treated fairly and justly under the laws, and be afforded appropriate protection and redress should an employer violate these laws. The laws enforced by the EEOC serve to deter unlawful discrimination by employers.

Facts About the Americans With Disabilities Act

Title I of the Americans with Disabilities Act of 1990, which took effect July 26, 1992, prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions and privileges of employment. An individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is required to make an accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources and the nature and structure of its operation.

An employer is not required to lower quality or production standards to make an accommodation, nor is an employer obligated to provide personal use items such as glasses or hearing aids.

MEDICAL EXAMINATIONS AND INQUIRIES

Employers may not ask job applicants about the existence, nature or severity of a disability or require medical examinations of applicants, until after making an offer of employment. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination or inquiry, but only if the examination or inquiry is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the employer's business needs.

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Facts About Religious Discrimination

Title VII of the Civil Rights Act of 1964 prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment. The Act also requires employers to reasonably accommodate the religious practices of an employee or prospective employee, unless to do so would create an undue hardship upon the employer (see also 29 CFR 1605). Flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers are examples of accommodating an employee's religious beliefs.

Unless it would cause an undue hardship, employers cannot schedule examinations or other selection activities in conflict with a current or prospective employee's religious needs, inquire about an applicant's future availability at certain times, maintain a restrictive dress code, or refuse to allow observance of a Sabbath or religious holiday.

An employer can claim undue hardship when accommodating an employee's religious practices if allowing such practices requires more than ordinary administrative costs. Undue hardship also may be shown if changing a bona fide seniority system to accommodate one employee's religious practices denies another employee the job or shift preference guaranteed by the seniority system.

An employee whose religious practices prohibit payment of union dues to a labor organization cannot be required to pay the dues, but may pay an equal sum to a charitable organization.

Mandatory "new age" training programs, designed to improve employee motivation, cooperation or productivity through meditation, yoga, biofeedback or other practices, may conflict with the non-discriminatory provisions of Title VII. Employers must accommodate any employee who gives notice that these programs are inconsistent with the employee's religious beliefs, whether or not the employer believes there is a religious basis for the employee's objection.

FILING A CHARGE

A charge of discrimination may be filed by mail or in person at any field office of the U.S. Equal Employment Opportunity Commission. Individuals who need an accommodation in order to file a charge (e.g., sign language interpreter, print materials in an accessible format) should inform the EEOC field office so appropriate arrangements can be made. Field offices are located in 50 cities throughout the United States and are listed in most telephone directories under U.S. Government. You may also call toll free 1-800-669-4000 or 1-800-669-6820 (TDD) for the appropriate EEOC field office for your geographic area. Information on all EEOC-enforced laws may be obtained by calling toll free 1-800-669-3362 or 1-800-800-3302 (TDD).

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Facts About Sexual Harassment

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcome.

It is helpful for the victim to directly inform the harasser that the conduct is unwelcome and must stop. The victim should use any employer complaint mechanism or grievance system available.

When investigating allegations of sexual harassment, EEOC looks at the whole record: the circumstances, such as the nature of the sexual advances, and the context in which the alleged incidents occurred. A determination on the allegations is made from the facts on a case-by-case basis.

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

450-2015-00127

Texas Workforce Commission Civil Rights Division

and EEOC

State or local Agency, if any

Name (indicate Mr., Ms., Mrs.)

Mary Tyler

Home Phone (Incl. Area Code)

(214) 270-7663

Date of Birth

Street Address

City, State and ZIP Code

4041 W Wheatland, Apt 156-485, Dallas, TX 75237

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

DALLAS ISD

No. Employees, Members

500 or More

Phone No. (Include Area Code)

(972) 925-3259

Street Address

City, State and ZIP Code

Ms. Mary McCants, EO Compliance Manager, 3700 Ross Avenue Rm. 115, Dallas, TX 75204

Name

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☒ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☒ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☐ OTHER (Specify)

RECEIVED
FEB 12 2015
US EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

02-12-2014 MT 09-29-2014

01-26-2014

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

I. PERSONAL HARM:

a. I was discharged from my position of Certified Substitute Teacher on September 29, 2014, which cause me a loss of 4 months pay.

b. I was retaliated against when I requested for my 2 days of pay and I was subsequently terminated.

c. On January 26, 2014, I was denied hire and at 10-15 DISD job fairs MT

II. REASON FOR RESPONDENT'S ADVERSE ACTION:

a. No reason was given for my discharged or for the loss of pay.

b. I was informed by Nancy Ruiz, Substitute Coordinator, that she did not know and that she would check into it.

III. STATEMENT OF DISCRIMINATION:

I believe I was discriminated against because of my race, Black, and retaliated against in violation of Title VII of the Civil Rights Act of 1964, as amended and Section 704(a). I was also discriminated against

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

X Mary Tyler

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)

02, 12th, 2015

Feb 12, 2015

Date

Charging Party Signature

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

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Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC**450-2015-00127****Texas Workforce Commission Civil Rights Division**

and EEOC

State or local Agency, if any

Because of my age, 62, in violation of the Age Discrimination in Employment Act of 1967, as amended and retaliated against in violation of Section 4(d).

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Feb 12, 2015*Date**Charging Party Signature*

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

02/12/2015

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under work sharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please notify EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

include with EEOC
Form 151 (1/1/2009)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

(This information relates to filing suit in Federal or State court under Federal law. If you also plan to sue during violation of State law, please be aware that time limits and other provisions of State law may be shorter or more limited than those discussed below.)

PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), or the Age Discrimination in Employment Act (ADEA):

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter alleged in the charge or to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment; back pay due for violations that occurred more than 2 years (3 years) before you file the suit may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/31/08, you should file the suit before 7/1/10 -- not 12/31/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

You cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction over your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be filed in the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representatives shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide our charge number (as shown on your Notice). While EEOC desires charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

Note:

Note: District Court may help me find attorney.

WFS DALLAS-SWEST

Fax: 972-709-5934

Mar 12 2015 12:12pm P002/011

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Mary Tyler**
4041 W Wheatland
Apt 156-485
Dallas, TX 75237

From: **Dallas District Office**
207 S. Houston St.
3rd Floor
Dallas, TX 75202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

450-2015-00127

S. Squire,
Sr. Federal Investigator

(214) 253-2772

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

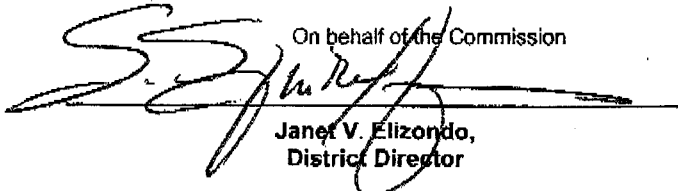
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

On behalf of the Commission

Janet V. Elizondo,
District Director

02/12/2015
 (Date Mailed)

cc:

Mary McCants
EO Compliance Manager
DALLAS ISD
3700 Ross Avenue
Dallas, TX 75204

Mark Robinett
Attorney at Law
Austin, Texas

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 450-2015-00127	
Texas Workforce Commission Civil Rights Division and EEOC <small>State or local Agency, if any</small>			
Name (indicate Mr., Ms., Mrs.) Mary Tyler		Home Phone (Incl. Area Code) (214) 270-7663	
Date of Birth <div style="background-color: black; width: 100px; height: 20px;"></div>			
Street Address 4041 W Wheatland, Apt 156-485, Dallas, TX 75237		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name DALLAS ISD		No. Employees, Members 500 or More	
Phone No. (Include Area Code) (972) 925-3259			
Street Address Ms. Mary McCants, EO Compliance Manager, 3700 Ross Avenue Rm. 115, Dallas, TX 75204		City, State and ZIP Code	
Name <div style="border: 1px solid black; width: 100px; height: 20px;"></div>		Home Phone (Incl. Area Code) <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	
Street Address <div style="border: 1px solid black; width: 100px; height: 20px;"></div>		City, State and ZIP Code <div style="border: 1px solid black; width: 100px; height: 20px;"></div>	
DISCRIMINATION BASED ON (Check appropriate box(es).)			
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input checked="" type="checkbox"/> RACE</div> <div style="width: 50%;"><input type="checkbox"/> COLOR</div> <div style="width: 50%;"><input type="checkbox"/> SEX</div> <div style="width: 50%;"><input type="checkbox"/> RELIGION</div> <div style="width: 50%;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="width: 50%;"><input checked="" type="checkbox"/> RETALIATION</div> <div style="width: 50%;"><input checked="" type="checkbox"/> AGE</div> <div style="width: 50%;"><input type="checkbox"/> DISABILITY</div> <div style="width: 50%;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="width: 50%;"><input type="checkbox"/> OTHER (Specify)</div> </div>			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
I. PERSONAL HARM: a. I was discharged from my position of Certified Substitute Teacher on September 29, 2014, which cause me a loss of 4 months pay. b. I was retaliated against when I requested for my 2 days of pay and I was subsequently terminated. c. On January 26, 2014, I was denied hire and at 10-15 DISD job fairs. MT			
II. REASON FOR RESPONDENT'S ADVERSE ACTION:P a. No reason was given for my discharged or for the loss of pay. b. I was informed by Nancy Ruiz, Substitute Coordinator, that she did not know and that she would check into it.			
III. STATEMENT OF DISCRIMINATION: I believe I was discriminated against because of my race, Black, and retaliated against in violation of Title VII of the Civil Rights Act of 1964, as amended and Section 704(a). I was also discriminated against			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date Feb 12, 2015		SIGNATURE OF COMPLAINANT X Mary Tyler	
Charging Party Signature X Mary Tyler		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year) 02/12th, 2015	

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

450-2015-00127

Texas Workforce Commission Civil Rights Division

and EEOC

State or local Agency, if any

Because of my age, 62, in violation of the Age Discrimination in Employment Act of 1967, as amended and retaliated against in violation of Section 4(d).

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Feb 12, 2015

Date

Charging Party Signature

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

02/12th, 2015

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

1. **FORM NUMBER/TITLE/DATE.** EEOC Form 5, Charge of Discrimination (11/09).
2. **AUTHORITY.** 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
3. **PRINCIPAL PURPOSES.** The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
4. **ROUTINE USES.** This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
5. **WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION.** Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under work sharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please notify EEOC or the state or local agency where you filed your charge **if retaliation is taken against you or others** who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

reproduce with EEOC
form 1515 (11/2013)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue under provisions of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)

PRIVATE SUIT RIGHTS

The VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):

In order to pursue the matter further, you must file a lawsuit against the respondent(s) named in the charge within
90 days of the date you receive this Notice. Therefore, you should keep a record of this date. Once the 90-
day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to
consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell
him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely
manner, it is prudent that your suit be filed within 90 days of the date this Notice was mailed to you (as
indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate
State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide
after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short
statement of the facts of your case which shows that you are entitled to relief. Your suit may include any matter
related in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in
the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some
cases can be brought where relevant employment records are kept, where the employment would have been, or
where the respondent has its main office. If you have simple questions, you usually can get answers from the
office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or
take legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment. Back
pay due for violations that occurred more than 2 years (3 years for willful violations) before you file suit may not be collectible. For
example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/31/08, you should file the suit
before 7/1/10 -- not 12/31/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA
suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above.

Moreover, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA
claim, suit must be filed within 90 days of this Notice and with the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

You cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction
in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be
made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your
efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above,
because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any
questions about your legal rights, including notice on which U.S. District Court can hear your case. If you need to
inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide
our charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files
are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge
file, please make your review request within 6 months of this Notice. (Before filing suit, any request should be
made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

Note:

*Note: District Court
may help me find attorney*

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Mary Tyler**
4041 W Wheatland
Apt 156-485
Dallas, TX 75237

From: **Dallas District Office**
207 S. Houston St.
3rd Floor
Dallas, TX 75202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

450-2015-00127

S. Squire,
Sr. Federal Investigator

(214) 253-2772

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

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Enclosures(s)

On behalf of the Commission

Janet V. Elizondo,
District Director

02/12/2015
 (Date Mailed)

cc:

Mary McCants
EO Compliance Manager
DALLAS ISD
3700 Ross Avenue
Dallas, TX 75204

Mark Robinett
Attorney at Law
Austin, Texas

NETZERO Message Center

From: prosperity77@netzero.com <prosperity77@netzero.net>

To: prosperity77@netzero.com

Sent: Wed, Nov 26, 2014 10:30 AM

Subject: Fw: Chain of Events in Chronological Order

----- Forwarded Message -----

From: "prosperity77@netzero.com" <prosperity77@netzero.com>

To: [REDACTED]

Subject: Fw: Chain of Events in Chronological Order

Date: Wed, 26 Nov 2014 15:36:27 GMT

----- Forwarded Message -----

From: "prosperity77@netzero.net" <prosperity77@netzero.net>

To: [REDACTED], [REDACTED], prosperity77@netzero.com

Subject: Chain of Events in Chronological Order

Date: Tue, 14 Oct 2014 20:21:52 GMT

Tuesday, October 14, 2014

[REDACTED]

Thanks for helping me! I hope you still have the bite of a shark in your strategic warfare against injustices. "Injustices anywhere is a threat to justices everywhere!" [REDACTED]

Chronological chain of events:

1. On Monday, September 29, 2014, I discovered that Nancy Ruiz had cancelled all of my substitute assignments for the remainder of September, 2014, October, 2014, November, 2014 and December, 2014. I lost approximately \$6,000 worth of monies I would have received from these job assignments. This was an unjust, vindictive and retaliatory towards me, because I had asked for pay that a couple of schools did not pay to me. I was horrified and shocked.
2. On Monday, September 29, 2014 I filed a grievance with the Dallas ISD Employee relations. I handed this hand-written document to Mary Gomez, the secretary.
3. On Friday, October 3, 2014 I was told by Nancy Ruiz that my services were no longer needed. I had not ever been notified of complaints previous to me asking for my pay.
4. Currently, as of today, I am waiting to acquire your services, so that I may attend a Grievance hearing, unless you can work out a settlement to get compensation for the monies I lost due to Nancy Ruiz cancelling all of my job assignments.
5. In addition, I hope that you can explain why I was told by Nancy Ruiz and others that Mexican parents, children and principals do NOT want a Black person teaching their children. They want a Mexican teacher for instruction.
6. On Wednesday, October 9, 2014 a school, Pleasant Grove Elementary, 's secretary, Rosa Rios called and wanted an interview with me for a teaching position. When Human Capital Management HCM found out the interview was for me, HCM told them NOT to hire me. They were sending another person over to them. The secretary cancelled my Monday, October 9, 2014. This hurt me deeply. Dallas ISD allowed me to sub, but never would hire me as a permanent CLASSROOM TEACHER. I have been to 12-14 job fairs over the past years, had

NETZERO Message Center

From: prosperity77@netzero.com <prosperity77@netzero.net>

To: mrobinett@brimarnett.com, prosperity77@netzero.com

Sent: Tue, Jan 06, 2015 03:41 PM

Subject: Fw: Who Am I?

----- Forwarded Message -----

From: "prosperity77@netzero.net" <prosperity77@netzero.net>

To: mrobinett@brimarnett.com, prosperity77@netzero.com

Subject: Who Am I?

Date: Fri, 31 Oct 2014 01:40:04 GMT

Thursday, October 30, 2014

Attorney Mark Robinett,

When they ask us how well I did my job, my answer will be:

WHO AM I?

1. I did my job to the best of my ability. I walked in some of the roughest and toughest schools in Dallas, in Texas, in the U.S.,

because I thought I could make a difference I children's lives.

WHO AM I?

2. I taught children to "Follow their Dreams," and never let anyone steal their dreams from them. I told them they need science if they want to become a nurse, a doctor or work in the health fields. Math and English is important in almost any field they enter.

3. Constantly, I warned students about the abuse of using alcohol and drugs, and how drugs will steal their dreams, destroy their lives and the lives of their family, friends, and future children.

WHO AM I?

4. I worked with autism children who had constant outbursts of pleasure and pain, and seemed to be angry at the work, and extremely active, and could not sit still long.

5. I substituted in special education classes where a child was blind and sat in a wheelchair, and had to be fed through a tube inserted in her stomach, because her mouth could not function to eat. Most of the children could not walk, and had arm, leg, and facial deformities. Yet, I sat next to them and read books about "Cinderella", "The Three Bears," and "Old McDonald had a Farm." I even made the sounds of a moo moo cow, a quack quack duck and a wolf wolf dog.

WHO AM I?

6. I substituted in some of the schools in the "hood" "ghetto schools" as the kids call them. I entered these steel doors with a mission in mind, to calm

the anxieties, fears, and the stress-level of these students. Sometimes they came to me to give me a hug, calling me granny or mama, because I read poetry to them in the English and language arts class, and the students were so quiet you could hear a pin drop.

NETZERO Message Center

From: prosperity77@netzero.com <prosperity77@netzero.net>

To: prosperity77@netzero.com

Sent: Mon, Jan 12, 2015 01:05 PM

Subject: Fw: Dreams Stolen! Vicious Rumors and Lies Will Steal Your Dreams!

----- Forwarded Message -----

From: "prosperity77@netzero.net" <prosperity77@netzero.net>

Subject: Fw: Dreams Stolen! Vicious Rumors and Lies Will Steal Your Dreams!

Date: Mon, 12 Jan 2015 19:04:19 GMT

By Mary Tyler 214-290-7663

----- Forwarded Message -----

From: "prosperity77@netzero.net" <prosperity77@netzero.net>

Subject: Dreams Stolen! Vicious Rumors and Lies Will Steal Your Dreams!

Date: Mon, 12 Jan 2015 19:03:22 GMT

Monday, January 12, 2015

Dear Sir/Madam:

DREAMS STOLEN!

Dreams stolen! Dreams hope lost!
Tell me what have I got now!
I paid the dear cost!
Rumors and lies spread like
wildfire.
Will cost you to lose your dreams--your job!

Dreams Stolen. Someone stole my dreams!
Follow your dreams, I always said,
Yeah, but someone stole my dreams, instead!
Vicious Rumors and lies,
Stolen dreams, loud out cries.

Vicious rumors and vicious lies will get you fired!
Someone stole my dreams,
And so it seems,
No one is even stopping these thieves.
So, I go home and alone I grieve, and
Wipe my swollen red eyes on my puffy sleeves.

I was told that I was too old,
Don't want to rock in no rocking chair.
Let the younger ones take up my slack.
follow me every where.
Go home, they said, and take a nap.
Well I may be old in body,
But, I am young in mind.

Injustices

"I won't go gently into that good night!"
"Don't want to go gently into that goodnight!"
No, it's not my time.
I got a lot of left in my heart!
I want it to be known that I want to make
a new start.

NETZERO Message Center

From: prosperity77@netzero.com <prosperity77@netzero.net>

[REDACTED] <[REDACTED]@netzero.com>

Sent: Wed, Oct 15, 2014 04:13 PM

Subject: Outline of Items I Am Grieving.

Wednesday, October 15, 2014

[REDACTED]

If we can settle my case informally without going through the Grieving process that would be great--whatever you think is best in your experienced professional judgment.

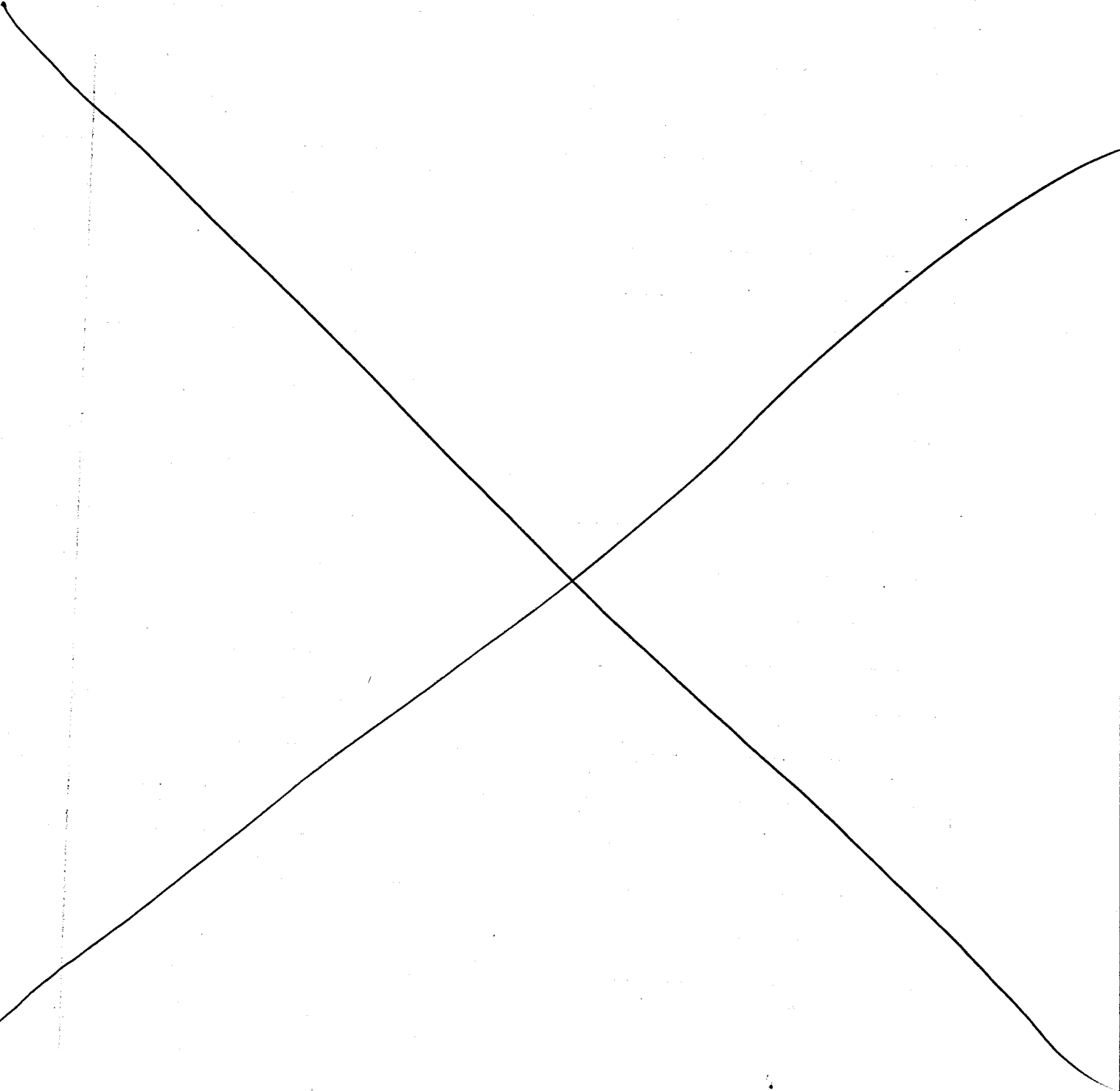
How are you doing these days? I hope that life is treating you well. Indeed, you are a true humanitarian and an excellent activist for the causes of us little o' teachers. We salute you.

Outline of Items I am Grieving.

1. I would like to be hired as a permanent classroom teacher, a permanent long-term sub, or a guest teacher
2. I want my status as a substitute, also reinstated. I would like to receive a letter of apology, because Nancy Ruiz and others were grossly negligent when they terminated my substitute services, simply because I asked for the remainder of my paycheck, which I still have not received.
3. I would like to be compensated monetarily for the heartbreak, stress, grief, pain and suffering I endured every time I watched teacher applicants behind me and in front of me in the 12-14 Dallas ISD job fairs get hired, and the employers deliberately skipped over me, even though I am highly qualified--a. ESL--lifetime b. Secretarial Business-all business subjects c. Generalist PK-4 and Generalist 4-K.
I speak, write, and read Spanish fluently; yet, Dallas schools and HCR claim they have a shortage and high demand for BIL, Spanish, ESL, and other subjects, but they pass me by.
4. I would like to sue for age discrimination and race discrimination, because some personnel at schools have disclosed to me that some principal, parents, and children DO NOT WANT BLACKS TEACHING THEIR HISPANIC--MEXICAN CHILDREN. Go figure. Normally, racism is defined by Whites discriminating against Blacks. In my case, it is Mexicans-Hispanics discriminating against Blacks.
5. I would like to be paid for all those sub positions that Nancy Ruiz, the Hispanic coordinator deliberately with malice of forethought and intent to inflict mental and emotional harm, cancelled from my ASEOP. I am requesting to be paid for all the school days in October, November, and December, and 2 weeks in September, 2014.
6. I am requesting that Dallas ISD stop blackballing me, and sign a statement stating they will only give me a neutral evaluation, and not give any negative information out about me, as they have been doing.
7. I HAVE SERIOUSLY BEEN BLACKBALLED because no other school district will hire me. People keep telling me that Dallas ISD is supplying negative information to them. I can NOT even get a full-time job out in the business world. Go figure! Surely, I allege this is racial discrimination and age discrimination.
8. Even with all of my many splendid degrees, I am only being offered common hard-labor jobs that males normally perform.

Armondo Grantus No play Grounds, No parks
New prisons. Fight the good Fight.

Micah Willis
D.I.S.D. need to keep the good
teachers that care about our students



Dear MS. Taylor.♡

You mam are
a amazing woman.
your cool: and fun!

Bye ^ ^
3.♡

-alondra♡

lavin ☆ ☆

THANKS! FOR COMING

to Hector P. Garcia
to Hector P. Garcia

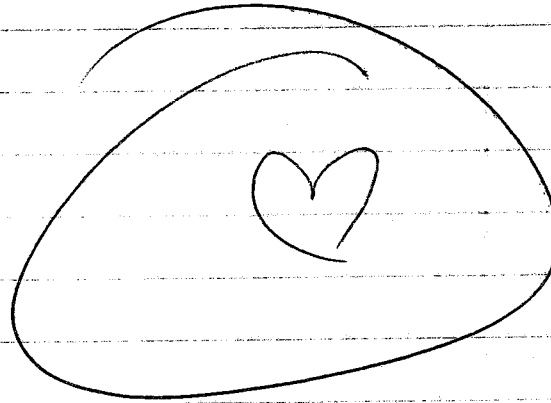
Isabelinda Martinez V

9-24-14

Hector P. Garcia

Thank you for everything
MS. Hope to see you soon!

(Kiki)
Kean/Kenton



W

Regina
mae (v)

4/10/2014

Get the teachers & Suits
back

Donell Burk

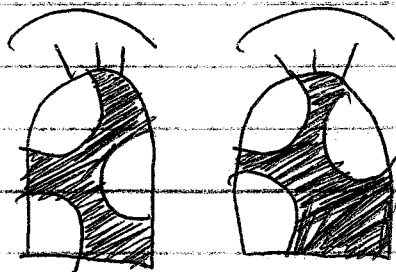
Hector P. Garzia
middle school

Thank for being our
Sub today

Ms. Taylor

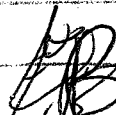

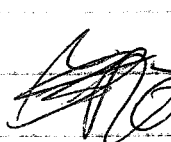
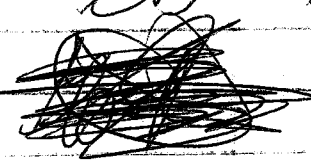
You have been the greatest
Sub

Thank
you



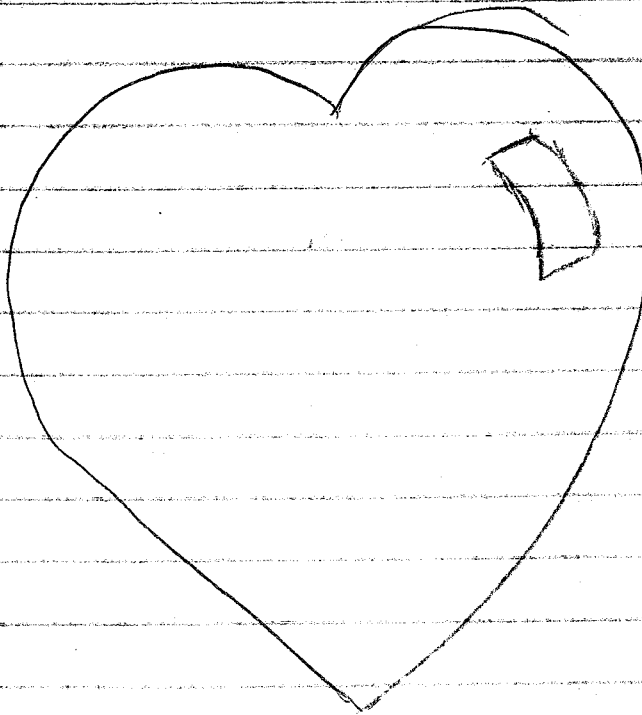
Flor Bjar

9/11/2014

Missi tyler

Thank you for substituting
us for today



from
Jesus Garcia

9-24-14

Thank

you

Hector P. Garcia

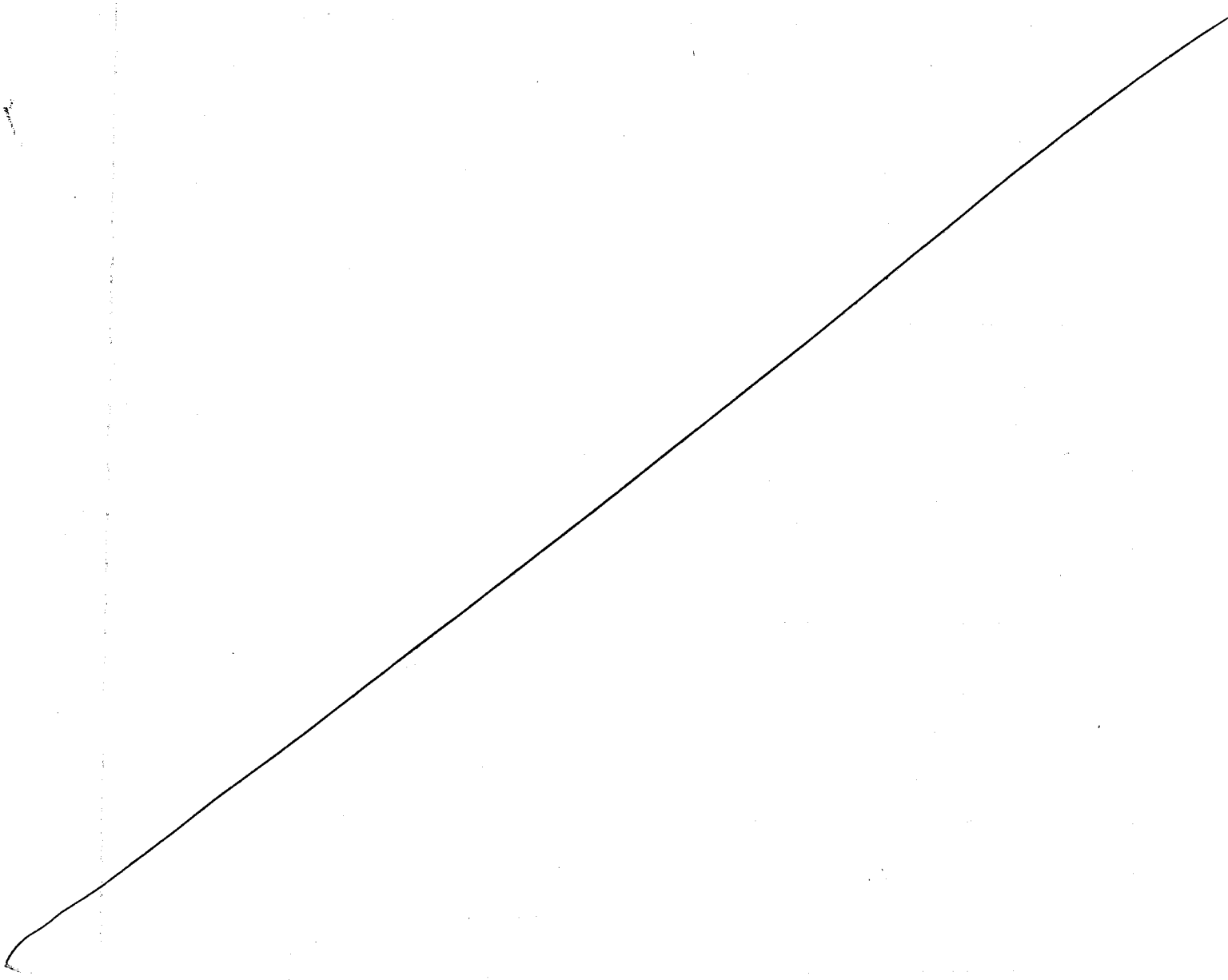
D.J

Diana Jaimes

Thanks
for being
our sub
at Hector
P. Garcia
Middle School
by ASIA 9-24-14
Bradley

11/3/14

We love Ms. Tyler she's
a good substitute & we would
want her back to substitute
us again. She really cares
about us. She teaches us
to be good & respect one
another.



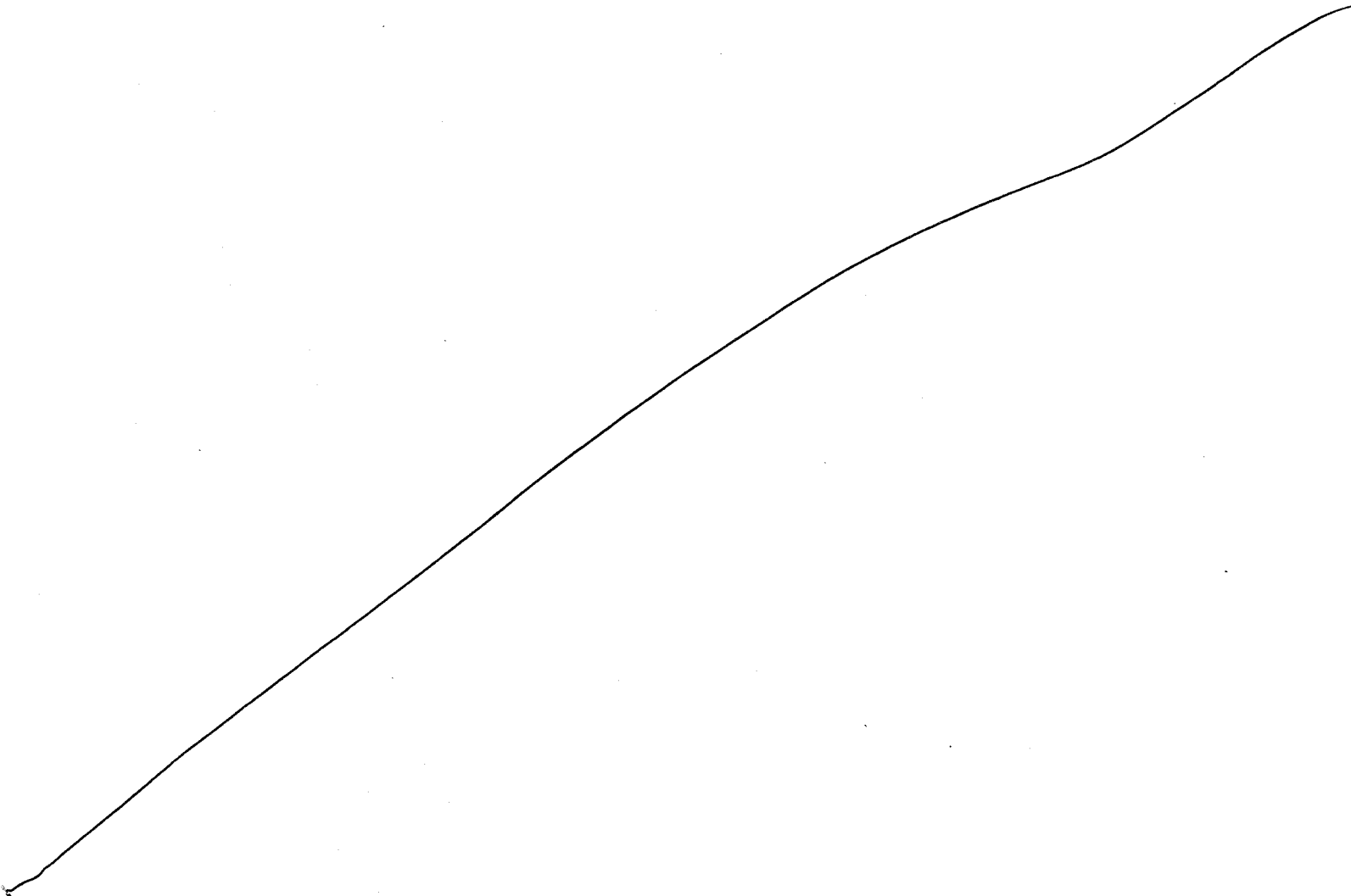
Ms. Tyler is a good teacher she taught us very well. I want her to come back to teach us again. November 3, 74

Please leave our substitutes alone!!!

Please, Please, Please

Mrs. Tyler was a good substitute.

She deserves to be teaching
us.



Garcia 972-502-5500
For 9/24/2014 Newmar Cysdy 8:35
Eng / LA / Reader, 3:35
700E 8h

8/25-14 fz Sty lrp CRC 972-502-3400
9-26-14 Mosey Melinda 9:15am
fr 4:15pm

I support Teachers and Schools and we should be
re of qualified teachers we should support them

NOV-2-14

~~To~~

We want ms Tyler back, shes a writer,
poet, she made me like school, she
~~made me like~~ my principle wanted her
to be my teacher H.R said no, where
is she, I love and ms her, why did
she leave us, the class soc wants her
back

Mickey Ross

We love our teachers, we don't want them to leave. We want our substitutes. Especially Mrs. Tyler she gave me hope and told me to follow my dreams and never let anybody steal my dream, but you have stolen her dreams, we are having a big protest if you don't bring her back.

- the EHS

Nosotros no queremos que los
maestros sean despedidos porque
nuestros hijos se descontrolan en
el aprendizaje y ellos son el
futuro de nuestra nacion.
por favor reconsiderar el regreso
de los maestros, nosotros como
miembros de la Escuela tenemos
derechos de dar nuestras opinio-
nes. Mucha gracias

Ate

Mary

I support the school they need
help and it was ~~wrong~~ wrong
to fire those teachers

Darryl Williams

well
done
5-17-15

I support the school they need
help and it was ~~wrong~~ wrong
to fire those teachers

Darrell Wilkins

5-11-15
J. C. P.
J. C. P.

Veronica Williams

We support the schools in the
Dallas sector

WE WANT OUR TEACHERS
BACK!! ITS OUR COMMUNITY
AND WE NEED OUR TEACHERS
PLEASE!! R. Evans

I support the school they need
help and it was ~~wrong~~ wrong
to fire those teachers

Darrell Williams

5-11-15
JCP
JCP
JCP
JCP

Texas Educator Certificate

State Board for Educator Certification

Certifies that

Mary L Tyler

has fulfilled all requirements of the State of Texas and is authorized to practice as a certified educator in the areas designated below:

<u>Certificate Description</u>	<u>Original Effective Date</u>	<u>Validity Period</u>
Standard		
Classroom Teacher		
Generalist (Grades EC-4)	06/06/2005	05/30/2014 - 02/28/2020
Generalist (Grades 4-8)	11/11/2006	05/30/2014 - 02/28/2020
Provisional		
Secondary Secretarial Business (Grades 6-12)	02/27/1994	02/27/1994 - Life
English as a Second Language	03/16/1997	03/16/1997 - Life

Bonny Cain
Bonny Cain, Ed.D.
Chair



BE THE BEST THAT YOU CAN BE

**You go to school to learn
And to give your best concern,
And to try to do your best,
Rather than to do your less,**



**The work is sometimes hard
But you have to follow your card;
And try to do your best,
And rest when you can rest,**



**And play when you can play;
Do your lesson and do it well all day.
Hard work will surely pay,
Plan your bright future, today!**



**When then arrives the month of May
And you get your report card that day,
And you have passed because it is good,
Then you can say, I've done what I should!**



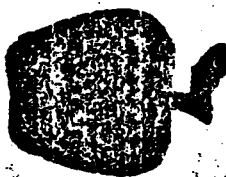
THE TEACHER'S PRAYER

I WANT TO TEACH MY STUDENTS HOW, TO LIVE THIS LIFE ON EARTH,
TO FACE ITS STRUGGLES AND ITS STRIFE, AND IMPROVE THEIR WORTH.
NOT JUST THE LESSON IN A BOOK, OR HOW THE RIVERS FLOW
BUT HOW TO CHOOSE THE PROPER PATH, WHEREVER THEY MAY GO.
TO UNDERSTAND ETERNAL TRUTH, AND KNOW THE RIGHT FROM WRONG
AND GATHER ALL THE BEAUTY OF A FLOWER AND A SONG.
FOR IF I HELP THE WORLD TO GROW, IN WISDOM AND IN GRACE
THEN I SHALL FEEL THAT I HAVE WON, AND I HAVE FILLED MY PLACE.
AND SO I ASK YOUR GUIDANCE, GOD, THAT I MAY DO MY PART,
FOR IN CHARACTER AND CONFIDENCE, AND HAPPINESS OF HEART.

—By James A. Wetcall

Presented by the St. John Missionary Baptist Church
(In Observance of Teacher Appreciation Week)
Wednesday, July 9, 1990
Reverend E. W. Smith, Interim Pastor

"Because You Are Special"



Today I Will Make a Difference

Today I will make a difference. I will begin by controlling my thoughts. A person is the product of his thoughts. I want to be happy and hopeful; therefore, I will have thoughts that are happy and hopeful. I refuse to be victimized by my circumstances. I will not let petty inconveniences such as stoplights, long lines, and traffic jams be my masters. I will avoid negativism and gossip. Optimism will be my companion, and victory will be my hallmark. Today I will make a difference.

I will be grateful for the twenty-four hours that are before me. Time is a precious commodity. I refuse to allow what little time I have to be contaminated by self-pity, anxiety, or boredom. I will face this day with the joy of a child and courage of a giant. I will drink each minute as though it is my last. When tomorrow comes, today will be gone forever. While it is here, I will use it for loving and giving. Today I will make a difference.

I will not let past failures haunt me. Even though my life is scarred with mistakes, I refuse to rummage through my trash heap of failures. I will admit them. I will correct them. I will press on. Victoriously. No failure is fatal. It's OK to stumble. I will get up. It's OK to fail... I will rise again. Today I will make a difference.

I will spend time with those I love. My spouse, my children, my family. A man can own the world but be poor for the lack of love. A man can own nothing and yet be wealthy in relationships. Today I will spend at least five minutes with the significant people in my world. Five quality minutes. Five minutes of talking or hugging or thanking or listening. Five undiluted minutes with my mate, children and friends.

Today I will make a difference.

180
24

WHY DON'T YOU WALK IN MY SHOES?

YOU HAVE TO WALK IN MY SHOES
YOU HAVE TO ROLL IN MY WHEELCHAIR
I CAN DO ANYTHING
IF SOMEONE CARES

WHO AM I?
I'M THE FRAIL, TINY GIRL WITH THE BIG, SAD
BROWN EYES.
LIKE BIG, SHINY MARBLES.
PONYTAILS AND RIBBONS, PRETTY LACY DRESS

WHO AM I?
I'M THE CHILD WHO CAME FROM A BROKEN HOME
CHILD WITH A FACELESS NAME
I'M THE CHILD WHOSE FATHER IS AWAY
WHO'S MOTHER SLAVES TO EARN MONEY FOR ONE
MORE DAY.

WHO AM I?
I'M THE LITTLE ONE WHO CRIES HERSELF TO SLEEP
AT NIGHT!
HUNGRY, WONDERING IF I WILL BE ALL RIGHT THROUGH
THE NIGHT!

WHO AM I?
I'M THE WHO RACES TO SCHOOL EACH DAY,
TO SEE THE SMILE ON MY TEACHER'S FACE
AS SHE SAYS GOOD DAY.

WHO AM I?
I'M THE ONE WHO STRUGGLES SO HARD
TO GET A GOOD REPORT CARD.
SO SOMEONE WILL LOVE AND BE PROUD OF ME!

WHO AM I?
AND WHEN I LIE DOWN AT NIGHT
I DREAM OF MIRACLES-MONEY FALLING FROM
THE SKY
AND PRAY THAT THE WAR WILL END TONIGHT
AND THAT MY DADDY WILL COME BACK HOME
SAFE AND BE ALL RIGHT! DADDY'S LITTLE GIRL!

Ms. T

See
back

Little Redbird, Take This
Message to God!

A bright little red Redbird perched upon my window sill today.

He looked at me straight in the eye, as if to say,

How are you? How are you doing today?

Yes, I talked to a little sweet Redbird today!

Little Redbird, take this message to God!

I said, "Little birdie, since you can fly so high,

And you can touch the sun, moon, and sky,

Tell me have you seen God, today?"

Is he floating up there behind those white clouds?

Little Redbird, take this message to God!

On a piece of tattered notebook paper, I scrolled

These words: "God, this world needs your help, today.

To you, this world does dearly pray.

Wars, rumors or wars, suffering and pain every day

So, I placed the tattered note in his beak.

Tell Him, the world needs his help, today.

Redbird winked at me, and looked mighty meek.

We broke bread, as I placed some bread crumbs

At his feet.

2.

If this bird returns with the answer I seek,

I am going to faint right away.

If little Redbird returns with an answer from God,

It will be a miracle this week!

By Ms. M. Tyler

(Ms. T.)

Copyrighted 2013

Oct 31, 2014.


To whom this may concern
 I'm a student at Kimball High.
 I heard that Mrs. Taylor and
 Mrs. Tyler off the Substitute list.
 We the Students are very upset.
 We want them back because
 they were the best Subs we
 ever had. She gave me the
 advice to want to keep. One
 day I was hungry and she Mrs. Tyler
 gave me lunch money. Last
 Thanksgiving she gave my family
 a turkey last year. We
 was hungry and she helped
 us. Where is she what?
 have you done with her?

Concerned Student
 Kimball High

To Lisa

I disagree with how
the district is being run, and I
think more info should be
filed.

Ron Emerson.

Retaliation against me - Wang Ruiz cancelled (16)
 substitute job - I had for Sept, Oct, Nov, & Dec
 I am going through this grievance process. If
 this does not work,  I will seek attorney or other assistance.

EMPLOYEE RELATIONS
 HUMAN CAPITAL MANAGEMENT

Date Received

Grievance Form

A grievance form must be filed no later than ten days from the date the employee first knew or should have known of the decision or action giving rise to the grievance or complaint. Failure to do so may prohibit acceptance of the grievance. A new grievance form must be completed for each level of the process. Grievance forms may be submitted online, by e-mail (grievances@dallasisd.org), or in person.

Note: When sending the form electronically, print a copy of the form for your records.

GRIEVANT NAME Mary Tyler				EMPLOYEE ID 5473	
ADDRESS 9041 W. Wheatland 156-48		CITY Dallas		STATE TX	E-MAIL dallasisd.org prosperity77@aol.com
PHONE 214-290-7663	POSITION/ASSIGNMENT Substitute - daily	<input checked="" type="checkbox"/> Professional <input type="checkbox"/> Administrative	<input checked="" type="checkbox"/> Certified <input type="checkbox"/> Bi-Weekly	<input type="checkbox"/> Support	
EXECUTIVE DIRECTOR Monica Moffatt		CAMPUS/DEPARTMENT Nancy Substitute - Ruiz		IMMEDIATE SUPERVISOR Nancy Ruiz	
<input checked="" type="checkbox"/> Legal Counsel <input type="checkbox"/> Representative	NAME Various Unions	ORGANIZATION		PHONE after speak with Council Will give info	
ADDRESS	CITY Dallas	STATE TX	ZIP	E-MAIL	
GRIEVANCE FILED AGAINST Clara Oliver - Charlotte Smith Nancy Ruiz - Post Department		POSITION/TITLE Supervisor		CAMPUS/DEPARTMENT agg Comstock - Secretary	
INFORMAL <input checked="" type="checkbox"/> yes <input type="checkbox"/> no		GRIEVANCE LEVEL <input checked="" type="checkbox"/> Level I <input type="checkbox"/> Level II <input type="checkbox"/> Level III			

Statement: I have not been paid my \$90 substitute pay for several campuses I have talked to Nancy Ruiz and Monica Moffatt ~~at the school~~ school, Clara Oliver deliberately ~~prevented me from being paid~~ tried to keep from paying me.

Relief or remedy sought:

In retaliation for me asking for my pay and going to administrator on Ross Street over school's head Nancy Ruiz took me off the substitute list. Schools wanted me, but can not assign jobs to me.

Specific policy allegedly violated, misinterpreted, or misapplied:

88 the substitute list. Schools wanted me, but can not assign jobs to me.

Signature

Date

DOCUMENTS RELATED TO THIS GRIEVANCE MUST BE ATTACHED.

DATE ISSUED: 1/9/2014

1 of 1

Seeking to be placed back as active substitute
 180 will not Ruiz's office will not place me in post person in each position

3-15CV-1431M

JS 44-TXND (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

Dallas

(c) Attorneys (Firm Name, Address, and Telephone Number)

pro se

DEFENDANTS

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

Dallas, TX

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

RECEIVEDRAW
MAY 7 2015CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input checked="" type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input checked="" type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input checked="" type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

Terminated service as retaliation

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No**VIII. RELATED PENDING OR CLOSED CASE(S)**

IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE